

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

KENNY SAYRE,

Plaintiff,

v.

CIVIL ACTION NO. 1:16-00115

STEVENS CORRECTIONAL FACILITY,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the court is plaintiff's complaint alleging defendants violated his constitutional and civil rights pursuant to 42 U.S.C. § 1983. ECF No. 1. By Standing Order, the matter was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings and recommendations ("PF&R") for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On February 9, 2018, the magistrate judge submitted his PF&R, in which he recommended that the district court dismiss the matter without prejudice, (ECF No. 1), and remove the matter from the active docket. See ECF No. 12.

In accordance with the provisions of 28 U.S.C. § 636(b), petitioner was allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Aboulhosn's Findings and Recommendation. The failure to file such objections constitutes a waiver of the right to a de novo review

by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

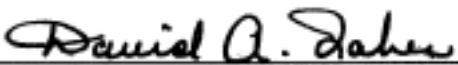
Plaintiff failed to file any objections to Magistrate Judge Aboulhosen's Findings and Recommendation within the seventeen-day period. Having reviewed the Findings and Recommendation, the court adopts the findings and recommendation contained therein.

The court hereby **ADOPTS** the factual and legal analysis contained within the PF&R, (ECF No. 12), **DISMISSES** this matter without prejudice, (ECF No. 1), and **DIRECTS** the Clerk to remove this case from the court's docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to counsel of record and plaintiff, pro se.

It is **SO ORDERED** this 4th day of April, 2018.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge